

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	8:13CR164
Plaintiff,)	
)	
vs.)	ORDER
)	
HENRY RAY DENNEY,)	
)	
Defendant.)	

This matter is before the court on the joint oral motion of defendant Henry Ray Denney (Denney) and the government for a continuance of the trial. The motion was made during a hearing on July 19, 2013. Denney acknowledged the additional time needed for the motion would be excluded under the calculations under the Speedy Trial Act. The oral motion was granted.

IT IS ORDERED:

1. The joint motion for a continuance of the trial is granted.
2. Trial of this matter is re-scheduled for **November 5, 2013**, before Chief Judge Laurie Smith Camp and a jury. The ends of justice have been served by granting such motion and outweigh the interests of the public and the defendant in a speedy trial. The additional **time** arising as a result of the granting of the motion, i.e., the time between **July 19, 2013, and November 5, 2013**, shall be deemed **excludable** time in any computation of time under the requirement of the Speedy Trial Act for the reason that counsel require additional time to adequately prepare the case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(7)(A) & (B).

DATED this 19th day of July, 2013.

BY THE COURT:

s/ Thomas D. Thalken
United States Magistrate Judge